

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DONALD DEHAR,

Plaintiff,

Case Number: 07-11584

v.

HONORABLE AVERN COHN

BOULTON. Sergeant, ROMANOWSKI,  
Deputy, SALAY, Deputy, HUNT,  
Lieutenant,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
DISMISSING CASE**

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff Donald Dehar, proceeding pro se and in forma pauperis, filed a complaint claiming that defendants violated his constitutional rights while he was lodged at the Genesee County Jail on request of US Marshals. Plaintiff specifically claims defendants violated his rights under the First Amendment by failing to provide him with grievance forms and opening his legal mail and destroying letters, thereby denying him access to the courts. Plaintiff also claims a violation of the Eight Amendment, alleging he was stripped naked in a cell for 21 days, given moldy food, and was assaulted by defendants. The case was referred to a magistrate judge for all pre-trial proceedings. Defendants filed a motion for summary judgment. The magistrate judge issued a report and recommendation (MJRR) recommending that defendants' motion be granted.

Before the Court are plaintiff's objections to the MJRR. Having carefully reviewed the objections, the Court agrees with the magistrate judge that the record fails

to show a genuine issue of material fact as to whether defendants violated his constitutional rights. Plaintiff's objections essentially present the same arguments considered and rejected by the magistrate judge.

Accordingly, the findings and conclusions of the magistrate judge are adopted as the findings and conclusions of the Court. Defendants' motion for summary judgment is GRANTED. This case is DISMISSED.

SO ORDERED.

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: April 15, 2008

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record and Donald Dehar, 712468, Genesee County Jail, 1002 S. Saginaw, Flint, MI 48502 on this date, April 15, 2008, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160